

## Message Text

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PAGE 01 STUTTG 00354 241619Z  
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-02 INR-10  
L-03 NSAE-00 NSC-05 PA-02 SP-02 SS-15 USIA-15  
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TO AMEMBASSY BONN  
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AMCONSUL MUNICH  
USMISSION US BERLIN  
AMEMBASSY PARIS  
USEUCOM VAIHINGEN  
USAREUR HEIDELBERG

UNCLAS STUTTGART 0354

USEUCOM AND USAREUR FOR POLADS

E.O. 11652: N/A  
TAGS: PINS, GW  
SUBJECT: LANDTAG COMMITTEE SUBMITS FINAL REPORT ON STAMMHEIM AFFAIR

1. SUMMARY: THE REPORT OF THE LANDTAG SPECIAL COMMITTEE ON THE  
TERRORISTS WHO DIED AT STAMMHEIM LAST OCTOBER FINDS THAT THEY DID  
INDEED COMMIT SUICIDE, BUT DIVIDES ALONG POLITICAL LINES AS TO  
WHETHER OR NOT THE FILBINGER GOVERNMENT HAD DISCHARGED ITS  
RESPONSIBILITIES ADEQUATELY. THE REPORT ALSO RECOMMENDS MEASURES  
TO IMPROVE CONTROL OF CONVICTED TERRORISTS. THE REPORT WILL BE  
DISCUSSED MARCH 16 BY THE LANDTAG, A SESSION WHICH THE FILBINGER  
GOVERNMENT SHOULD BE ABLE TO HANDLE EASILY DESPITE CONTINUING  
VERBAL SALLIES BY THE OPPOSITION PARTIES. END SUMMARY.

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2. THE COMMITTEE APPOINTED BY THE LANDTAG TO INVESTIGATE THE  
DEATH OF THREE TERRORISTS AT STAMMHEIM PRISON LAST OCTOBER  
PRESENTED ITS 300 PAGE REPORT TO THE LANDTAG FEBRUARY 23. THE TEN  
MEMBERS OF THE COMMITTEE AGREED UNANIMOUSLY THAT BAADER, RASPE  
AND ENSSLIN HAD COMMITTED SUICIDE, AND THAT MOELLER HAD ATTEMPTED  
TO DO SO. THE COMMITTEE DISAGREED, HOWEVER, AS TO WHO WAS

RESPONSIBLE FOR PERMITTING THESE EVENTS TO OCCUR.

3. NOT SURPRISINGLY, THIS DIVISION WAS ALONG POLITICAL LINES. THE REPORT REFLECTS THE MAJORITY VIEW (6 CDU MEMBERS) IN FINDING THAT THE STATE GOVERNMENT HAD TAKEN PREVENTIVE ACTION AND COULD NOT BE HELD RESPONSIBLE FOR THESE EVENTS NOR WAS IT GUILTY OF NEGLIGENCE. SPD AND FDP DELEGATES ASSERTED IN A MINORITY STATEMENT THAT THE LAND GOVERNMENT HAD LEFT THE SECURITY OF THE STATE IN THE HANDS OF LOWER OFFICIALS, HAD NOT ARRANGED ADEQUATE COORDINATION BETWEEN THE MINISTRIES OF JUSTICE AND INTERIOR, AND HAD NOT LIVED UP TO ITS RESPONSIBILITY TO FIGHT TERRORISM.

4. DESPITE THESE DIFFERENCES, COMMITTEE MEMBERS WERE AGREED ON MOST OTHER SUBJECTS COVERED IN THE REPORT. AS ANTICIPATED (REFTEL), THE COMMITTEE COULD NOT DETERMINE HOW THE SUICIDE WEAPONS HAD BEEN SMUGGLED INTO THE PRISON, ALTHOUGH THERE WAS A TENDENCY TO ACCEPT THE VIEW ADVOCATED BY PROSECUTOR GENERAL REBMANN (I.E., THAT THE GUARDS HAD BEEN LAX IN LOOKING INTO BRIEFCASES OF DEFENSE LAWYERS).

5. THE COMMITTEE FOUND THAT ARRANGEMENTS HAD BEEN FAULTY IN SEVERAL RESPECTS: THE TERRORISTS WERE ABLE TO MIX WITH OTHER PRISONERS LAST JUNE WHEN THE PRISON WAS UNDER REPAIR; THE FLIMSY CONSTRUCTION OF CELLS PERMITTED EASY EXCAVATION OF HIDING PLACES FOR WEAPONS; CONTROL OF THE TERRORISTS HAD GRADUALLY RELAXED. THE COMMITTEE RECOMMENDED SEVERAL MEASURES TO PREVENT SUCH INCIDENTS IN THE FUTURE. THESE INCLUDE ESTABLISHMENT IN ALL LAENDER OF

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COMMON GROUND RULES GOVERNING IMPRISONMENT OF TERRORISTS, FORMATION OF A SPECIAL SECURITY DETACHMENT TO GUARD THEM, MORE PERSONNEL FOR STAMMHEIM, AND IRREGULAR TRANSFER OF TERRORISTS TO DIFFERENT CELLS.

6. THE CDU GOVERNMENT COMMENTED QUICKLY THAT THE REPORT SUPPORTED THE VIEW THAT THE CABINET, THE MINISTER PRESIDENT, AND THE MINISTRIES HAD DONE EVERYTHING HUMANLY POSSIBLE THAT COULD HAVE BEEN EXPECTED OF THEM. THE "HASTY ASSERTION" OF THE OPPOSITION THAT THE CDU REGIME HAD NOT FULFILLED ITS RESPONSIBILITIES HAD NOT BEEN SUBSTANTIATED. THE DEBATE WILL RESUME MARCH 16 WHEN THE LANDTAG DISCUSSES THE REPORT.

7. COMMENT: FORTUNATELY FOR THE FILBINGER GOVERNMENT, THE REPORT RUNS ALONG LINES ANTICIPATED, AND THE GOVERNMENT THEREFORE DOES NOT FACE THE PROSPECT OF DAMAGING REVELATIONS DURING THE LANDTAG DEBATE NEXT MONTH. FILBINGER'S MOVES SINCE THE SUICIDES OCCURRED LAST OCTOBER -- PARTICULARLY DROPPING THE MINISTERS OF JUSTICE AND INTERIOR, AND KEEPING UP A STOUT DEFENCE -- HAVE SERVED TO REDUCE HIS EXPOSURE TO ATTACK FROM THE OPPOSITION. THE RECENT TURBULENCE WITHIN CDU RANKS OVER CABINET CHANGES (STUTTGART 301) HAS SUBSIDED (SEPTTEL), MAKING IT EVEN MORE UNLIKELY THAT THE GOVERN-

MENT WILL BE SUBJECTED TO MEANINGFUL PRESSURE IN THE LANDTAG NEXT MONTH. THE SPD, ITSELF EMBARRASSED AT THE NATIONAL LEVEL BY OPPOSITION OF A FEW SPD MEMBERS OF THE BUNDESTAG TO THE FEDERAL GOVERNMENT'S OWN ANTI-TERRORIST BILL, CANNOT BE EXPECTED TO DERIVE ADVANTAGE HERE FROM THE REPORT OF THE STAMMHEIM AFFAIR.MILLER

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## Message Attributes

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